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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,648	10/31/2003	Steven Louis Eaton	LDC100A US	3752
21133 7590 03/01/2011 VAN OPHEN & VANOPHEM, PC REMY J VANOPHEM, PC 51543 VAN DYKE SHELBY TOWNSHIP, MI 48316-4447			EXAMINER VIG, NARESH	
			ART UNIT 3629	PAPER NUMBER
			MAIL DATE 03/01/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/698,648

Applicant(s)

EATON ET AL.

Examiner

NARESH VIG

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-26, 28-46 and 48-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-26, 28-46 and 48-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-845)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is in reference to communication received response received 18 August 2010. Claims 1–6, 8–26, 28–46 and 48–60 with the elected species of Fax is pending for examination.

Response to Arguments

Applicant's arguments and concerns for newly added limitations in the amended claims which have been responded to in response to claims below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1–6, 8–26, 28–46 and 48–60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raveis US Publication 2002/0049624 in view of Watanabe Japan Patent 2001-274946 and Ouchi US Patent 5,675,421.

Regarding claims 1, 21 and 41, as best understood by examiner, Raveis teaches automating at least some phases of real estate transfer (storing data relating to

and coordinating the multitude of tasks associated with the purchase or sale of a property from contract to close) [0017], said method being centralized on at least one server and carried out over a distributed computer network to a plurality of client computers [Fig. 1 and disclosure associated with Fig. 1]. Raveis teaches:

creating a real estate record on said at least one server [0017, 0018];

Raveis does not explicitly teach receiving information from any fax source. However, Watanabe teaches capability and concept for receiving information from Facsimile equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adopt the teachings of Watanabe and modify Raveis to electronically file the documents received from parties involved in a transaction; apply a known technique to a known device (method, or product) ready for improvement to yield predictable results; known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art.

Raveis in view of Watanabe teaches:

assigning a record identifier in the form of a unique identification number to said real estate record (**any field in customer's real estate record e.g. address of the property. In addition, assigning a unique identifier to a record in a database is old an known technology used by businesses. e.g. each customer is assigned a unique customer-id; each transaction is assigned a unique transaction-id;**

Citizens in USA are assigned unique Social Security Number, etc.); Also,

Watanabe teaches receiver ID to identify storage area where the document should be stored [Watanabe 0009]

Raveis in view of Watanabe does not explicitly recite voice prompting a sender to input record identifier. **However, it is old and know technology for prompting users to solicit input from the user (users are guided on using the system by voice prompting them to solicit appropriate input, e.g. in voicemail, users are prompted step by step to inform them how to store message for a particular user mailbox or retrieve voicemail by prompting users to provide their mailbox-id and password).** Ouchi teaches capability and concept of system and method of voice prompting (verbal guidance) to leave message to a particular unique location on the storage device or retrieve particular content from the storage device [Ouchi, col. 7, lines 18 – 26].

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Raveis in view of Watanabe by adopting teachings of Ouchi and voice prompt sender to input record identifier to enable user to use the telephone pad to input mailbox number; apply a known technique to a known device (method, or product) ready for improvement to yield predictable results; known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art.

Raveis in view of Watanabe and Ouchi teaches capability and concept for:

Voice prompting a sender to input record identifier of said real estate record into said fax source [Ouchi, col. 7, lines 18 – 26].

associating said information to said real estate record using said record identifier [Watanabe, 0009];

storing said information on said at least one server in association with said real estate record identity [Raveis, Fig. 3a,b and disclosures associated with the Fig., Watanabe, 0009, 0010].

Regarding claims 2, 22 and 42, Reveis in view of Watanabe and Ouchi teaches capability and concept for receiving at least some portion of a property listing from a multiple listing service (available homes are listed in MLS) [Raveis, 0099].

Regarding claims 3, 23 and 43, Raveis in view of Watanabe teaches capability and concept for transmitting at least a portion of said real estate record to a multiple listing service [Raveis, 0099].

Regarding claims 4, 24 and 44, Raveis in view of Watanabe teaches capability and concept for converting said information into a digital document to be associated and stored in accord with said associating and storing steps [Watanabe, claim 11 and disclosure associated with claim 11].

Regarding claims 5, 25 and 45, Raveis in view of Watanabe teaches capability and concept for:

determining whether said record identifier matches any of a number of a plurality of real estate records [Watanabe claim 1 and disclosure associated with claim 1];

discarding said digital document if said determining step is negative (it a business choice to decide what course of action to take when the determining action is negative. Watanabe teaches storing document into a common document storage area, and also capability of discarding the document. [Watanabe, 0039, claim 2 and disclosure associated with claim 2].

Regarding claim 6, 26 and 46, Raveis in view of Watanabe teaches capability and concept for saving said digital document on said at least one server in accord with a matching real estate record if said determining step is positive.

Regarding claims 8, 28 and 48, Reveis in view of Watanabe and Ouchi teaches capability and concept for listing agent reviewing said information [Watanabe, 0028] and granting view rights to authenticated users, such that said users can access and view a digital representation of said information (Raveis teaches remote log-in) [Raveis, 0007]. It is business choice for implementing security measures and decide how the security measures are implemented.

Regarding claims 9, 29 and 49, as responded to earlier for claim 1 and 8, Reveis in view of Watanabe teaches capability and concept for listing agent marking information as secured or unsecured.

Regarding claims 10, 30 and 50, as responded to earlier for claims 1 and 8, Reveis in view of Watanabe and Ouchi teaches capability and concept for providing security clearance and access over said distributed computer network to at least some portions of said real estate record to a plurality of different users depending upon an assigned role of a user among said plurality of different users, said plurality of different users including buyers, sellers, brokers, managers, agents, financial entities, other third parties, or the like.

Regarding claims 11, 31 and 51, as responded to earlier for claims 1, 8 and 10, Reveis in view of Watanabe and Ouchi teaches capability and concept for providing a masquerade function whereby one of said plurality of different users can masquerade as another of said plurality of different users (an agent can be a buyer agent for searching properties, and, the same agent can be a listing agent for posting their properties on to the MLS).

Regarding claims 12, 32 and 52, as responded to earlier for claims 1, 8 and 10, Reveis in view of Watanabe and Ouchi teaches capability and concept for tracking activity on said at least one server so as to provide an audit trail of said activity

corresponding to said real estate record such as date of access, user identification, and the like [Raveis, 0003].

Regarding claims 13, 33 and 53, as responded to earlier for claims 1, 8 and 10, Reveis in view of Watanabe and Ouchi teaches capability and concept for administration by a real estate broker.

Regarding claims 14, 34 and 54, as responded to earlier for claims 1, 8, 10 and 13, Reveis in view of Watanabe and Ouchi teaches capability and concept for enabling a real estate broker controlling at least a portion of said information, said at least a portion of information including a list of third party companies with whom said real estate record is associated, such that a listing agent must use only third party companies from said list to conduct said real estate transfer.

Regarding claims 15, 35 and 55, as responded to earlier for claims 1, 8, 10 and 13, Reveis in view of Watanabe and Ouchi teaches capability and concept for real estate broker controlling at least a portion of said information, said at least a portion of said information including a scheduling master template.

Regarding claims 16, 36 and 56, as responded to earlier for claims 1, 8, 10, 13 and 15, Reveis in view of Watanabe and Ouchi teaches capability for automatically

generating a schedule for said real estate record from said scheduling master template [Raveis, 0021].

Regarding claims 17, 37 and 57, as responded to earlier for claims 1, 8, 10, 13, 15 and 16, Reveis in view of Watanabe and Ouchi teaches capability and concept for schedule being automatically populated with a plurality of tasks and associated dates [Raveis, 0021].

Regarding claims 18, 38 and 58, as responded to earlier for claims 1, 8, 10 and 13, Reveis in view of Watanabe and Ouchi teaches capability and concept for generating email communications to one or more of a plurality of users based on the happening of an event [Raveis, 0034].

Regarding claims 19, 39 and 59, as responded to earlier for claims 1, 8, 10 and 13, Reveis in view of Watanabe and Ouchi teaches capability and concept for automatically generating an email communication containing advertising information from said real estate record (content of an email is business choice).

Regarding claims 20, 40 and 60, as responded to earlier for claims 1, 8, 10 and 13, Reveis in view of Watanabe and Ouchi teaches capability and concept for generating reports from said real estate record [Raveis, 0024, 0025].

Conclusion

Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NARESH VIG whose telephone number is (571)272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jamisue Plucinski can be reached on (571) 272-6811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 26, 2011

/Naresh Vig/
Primary Examiner, Art Unit 3629